IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

WRIT PETITION NO.10322 OF 2004

A.A. Potphode & Anr. ... Petitioners

V/s.

D.G.P. Hinoday Industries Ltd. ... Respondents

Ms.S.Y. Mohite for Petitioners

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **MARCH 1, 2005**

P.C.:

. The order challenged is passed on a revision application filed by the employer. The workman had filed complaint (ULP) No.38 of 2000 alleging that they were continuously employed on a temporary basis although they had completed the requisite number of days in service. While this complaint was pending, parties were directed to maintain status quo. It appears that pursuant to a chargesheet issued to the workmen for certain acts of misconduct, an enquiry was held. On fresh complaints being filed by the workmen, being Complaint No.303 and 304 of 2002, the Labour Court directed the employer not to punish the workmen by dismissing them or discharging from service till the final decision in the complaint.

2. The revision applications filed by the employer have been allowed by the Industrial Court. The interim order passed by the Labour Court is set aside.

3. It appears that the services of both the Petitioners have already been terminated on 23.8.2003. The Petitioners will, therefore, have to challenge this order of termination of their services. No relief can be granted to the Petitioners in this petition.

4. In view of this, the order of the Industrial Court need not be interfered with. Petition is rejected.